

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**BLACK WARRIOR RIVER- )  
KEEPER, INC., )  
Plaintiff, )  
v. )      Case No. 2:16-cv-01443-AKK  
DRUMMOND COMPANY, INC., )  
Defendant. )**

**INDEX OF EXHIBITS  
IN SUPPORT OF BLACK WARRIOR RIVERKEEPER'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

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<b><u>EXHIBIT</u></b>	<b><u>TITLE/DESCRIPTION</u></b>
<b>Exhibit A</b>	Deposition of Dwight Hicks (June 6, 2018)
<b>Exhibit B</b>	Declaration of Nelson Brooke <b>Exhibit 1</b> to Declaration of Nelson Brooke, October 2011 Analytical Results <b>Exhibit 2</b> to Declaration of Nelson Brooke, June 2015 Analytical Results
<b>Exhibit C</b>	Declaration of Anthony Brown <b>Attachment 1</b> to Declaration of Anthony Brown, Expert Report of Anthony Brown, Drummond Company Former Maxine Mine Site (Oct. 17, 2017) <b>Attachment 2</b> to Declaration of Anthony Brown, Rebuttals to Criticisms of Expert Report of Anthony Brown, Drummond Company Former Maxine Mine Site (Apr. 27, 2018)

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<b>Exhibit D</b>	Historical Aerial Photographs (Exhibit 2 to Lois George Deposition)
<b>Exhibit E</b>	<p>Declaration of Gordon Johnson</p> <p><b>Attachment 1</b> to Declaration of Gordon Johnson, Expert Report of Gordon Johnson: Restoration Plan – Maxine Mine Geologic Overburden Pile (Oct. 2017)</p> <p><b>Attachment 2</b> to Declaration of Gordon Johnson, Supplement to Expert Report Concerning Acid Base Accounting Test Results (Nov. 8, 2017)</p> <p><b>Attachment 3</b> to Declaration of Gordon Johnson, Rebuttal Report of Gordon Johnson: Restoration Plan – Maxine Mine Geologic Overburden Pile (Apr. 2018)</p> <p><b>Attachment 4</b> to Declaration of Gordon Johnson, Curriculum Vitae of Gordon Johnson</p>
<b>Exhibit F</b>	Declaration of Rodney Tuggle
<b>Exhibit G</b>	Declaration of Buddy Vines
<b>Exhibit H</b>	Declaration of Jo Ellen Tuggle
<b>Exhibit I</b>	Letter from P. LaMoreaux, President, PELA to D. Cook, Vice President, ABC (Aug. 6, 1979) (Exhibit 39 to Hicks Deposition)
<b>Exhibit J</b>	Deposition of Lois George (June 25, 2018)
<b>Exhibit K</b>	Letter from P. LaMoreaux, President, PELA, to D. Cook, Vice President, ABC (Nov. 16, 1979) (Exhibit 15 to George Deposition)
<b>Exhibit L</b>	Maxine Rock Disposal Area Hydrologic and Water Quality Investigations (Oct. 5, 1984) (Exhibit 36 to George Deposition)

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- Exhibit M** Deposition of David Muncher (May 9, 2018)
- Exhibit N** Deposition of Gordon Johnson (June 21, 2018)
- Exhibit O** Letter from D. Cook, VP, ABC to H. Robins, Alabama Surface Mining Reclamation Commission (Aug. 13, 1979) (Exhibit 40 to Hicks Deposition)
- Exhibit P** Letter from M. Edwards, Director Env'l. Control, ABC, to J. Meyers, Alabama Water Improvement Commission (Mar. 6, 1980) (Exhibit 42 to Hicks Deposition)
- Exhibit Q** Letter from M. Edwards, Director Env'l. Control, ABC, to J. Meyers, Alabama Water Improvement Commission (June 9, 1980) (Exhibit 44 to Hicks Deposition)
- Exhibit R** Memo from M. Edwards, Brief Summary – Maxine Mine Pollution Problems (Exhibit 54 to Hicks Deposition)
- Exhibit S** Alabama Surface Mining Reclamation Commission, Notice of Violation, 79-HVR-073 (July 5, 1979) (Exhibit 37 to Hicks Deposition)
- Exhibit T** Letter from P. LaMoreaux, PELA, to D. Cook, VP (Aug. 21, 1979) (Exhibit 12 to George Deposition)
- Exhibit U** Alabama Surface Mining Reclamation Commission, Notice of Violation No. 79-HVR-073 (Feb. 4, 1980) (Exhibit 19 to George Deposition)
- Exhibit V** Letter from P. LaMoreaux, PELA, to B. Smith, Alabama Surface Mining Reclamation Commission (Jan. 28, 1980) (Exhibit 41 to Hicks Deposition)
- Exhibit W** Figure 1, Location of Monitoring Sites (Exhibit 6 to George Deposition)
- Exhibit X** Site Figure (Exhibit 7 to George Deposition)

<b>Exhibit Y</b>	Aerial photos of the site taken by Nelson Brooke (Exhibits 22 and 23 to Hicks Deposition)
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<b>Exhibit AA</b>	Revisions to Maxine Mine Permit App. Supp. – Ex. III (Exhibit 6 to Muncher Deposition)
<b>Exhibit BB</b>	Supplement to Permit Application for Coal Processing Waste Disposal (Exhibit 55 to Hicks Deposition)
<b>Exhibit CC</b>	Supplement to Permit Application, Map 405 (Exhibit 3 to Muncher Deposition)
<b>Exhibit DD</b>	Memo from L. George (July 30, 1980) (Exhibit 21 to George Deposition)
<b>Exhibit EE</b>	Photos of the spillway taken by Nelson Brooke (Exhibits 17–18 of Hicks Deposition)
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<b>Exhibit GG</b>	Reclamation Plan for Pre-Law Refuse Disposal Area (June 3, 1985) (Exhibit 40 to Muncher Deposition)
<b>Exhibit HH</b>	National Pollutant Discharge Elimination System (NPDES) Permit AL0001724 (Exhibit 33 to Muncher Dep.)
<b>Exhibit II</b>	NPDES Permit Outfall Locations (Exhibit 30 to Muncher Deposition)
<b>Exhibit JJ</b>	1988 NPDES Permit Application (Exhibit 29 to Muncher Deposition)
<b>Exhibit KK</b>	Letter from D. Hicks, Drummond, to S. Foster, Alabama Department of Environmental Management (June 19, 1989)

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<b>Exhibit LL</b>	Declaration of Barry Sulkin <b>Attachment 1</b> to Declaration of Barry Sulkin, Maxine Mine, Alabama, Sampling and Investigation Report (Oct. 17, 2017)
<b>Exhibit MM</b>	Photograph of SW13 drainage gully taken by Nelson Brooke (Exhibit 32 to Hicks Deposition)
<b>Exhibit NN</b>	Deposition of Wade Keeton (July 12, 2018)
<b>Exhibit OO</b>	Declaration and Expert Report of Carys Mitchelmore
<b>Exhibit PP</b>	Deposition of Tom Simpson (June 29, 2018)
<b>Exhibit QQ</b>	Photographs of the GOB pile taken by Nelson Brooke (Exhibits 27–29 to Hicks Deposition)
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<b>Exhibit SS</b>	Declaration of Julie Burchfield
<b>Exhibit TT</b>	Declaration of Edwina Greenwood
<b>Exhibit UU</b>	Declaration of Jane Johnson
<b>Exhibit VV</b>	Letter from M. Dodson, Director, Water Management Division, Region VIII, U.S. EPA to D. Fraser, Chief, Water Quality Bureau, Montana Department of Health & Environmental Sciences (Dec. 22, 1993)